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REMARKS

The present response is to the Office Action mailed in the above-referenced case on February 24, 2004. Claims 1-19 are presented below for examination. Claims 1-6, 15-16 and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Light et al. (U.S. 6,192,380), hereinafter Light. Claims 7, 9-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Light as applied to claims 1 and 3, and further in view of Jacobs et al. (U.S. 5,611,048), hereinafter Jacobs. Claims 8, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Light as applied to claims 1, 3, 9, 10 and 15, and further in view of Kraft et al. (U.S. 6,048,585), hereinafter Kraft.

Applicant has carefully studied the prior art references provided by the Examiner, and the Examiner's rejections and statements of the instant Office Action. In response, applicant herein amends the claims to more particularly point out and distinctly claim the patentable subject matter of applicant's invention. Applicant further provides facts and argument which will clearly shown that applicant's claims as amended distinguish unarguably over the prior art presented by the Examiner, either singly or in combination.

Applicant herein amends the language of claim 1 to specifically recite a function for writing an executable instruction order containing data specific to the site, wherein the instruction order contains all of the required instruction data for navigating to and registering a user to the site. For convenience, applicant reproduces claim 1 as amended below.

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Claim 1 as amended now recites:

1. (presently amended) A software application for populating and submitting interactive forms by proxy, comprising;
a function for finding and capturing data about a site associated with the form and about the form associated with the site;

  a function for writing an executable instruction order containing data specific to the site, the associated form, and a requesting user;

  a function for navigating to the site and submitting data to a host sponsoring the site using the form associated with the site; and

  a function for returning and recording a portion of the form-submitted data accepted by the host for subsequent use in gaining access to the site;

  wherein the instruction order contains all of the required instruction data for navigating to and registering a user to the site.

  Applicant's independent claims 9, 15 and 19 recite the system, method and software application for practicing applicant's invention in accordance with the limitations of claim 1. Applicant accordingly amends the language of the claims similarly to claim 1 to specifically recite the executable instruction order containing all of the required instruction data for navigating to and registering a user to the site. All of the depending claims have also been amended to agree in language with their respective base claims.

  Regarding claim 1, the Examiner has provided the new reference of Light for anticipating all of the limitations of applicant's claim, including disclosing a function for writing a job order containing data specific to the site, the associated form, and a requesting user, stating that a matching unit decides what data should be placed in the form and at what locations, at which point the data and instructions on what to do with it

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(job order) is sent to the fill-in unit (col. 3,line 48-col. 4,line 30). Applicant respectfully disagrees with the Examiner's interpretation of the teachings of Light, particularly that pertaining to a "job order".

Specifically, Light teaches in the portion above cited and applied by the Examiner, units for recognizing that a form exists on a site, and for scanning the form to determine the field requirements of the form. The matching unit then decides which data should be placed in the form and at what locations, and sends the data and form filling instructions to the fill-in unit for populating the form which is then ultimately submitted to the host. However, applicant argues that the instructions on which data is to be placed where on the form, provided by the matching unit to the form fill-in unit, is improperly construed by the Examiner as applicant's executable instruction order. The "job order" of Light, as referenced in the Examiner's statement, is simply and only instructions to the fill-in unit on which data is to be placed in which fields of the form. Light provides no teaching whatsoever anywhere in the reference of an executable instruction order as taught in applicant's specification and now recited in applicant's base claims.

The instruction order of applicant's claims is quite different, however, in that it is written as a functional, executable XML instruction order containing all of the required data for navigating to and registering a user to a particular service of a site. The instruction order contains data specific to the site, which may include site content data that is later used for authenticating the association of the site with the form and/or user, data specific to the associated form, and data specific to the user, which not only includes the form data specific to the user, as taught in Light, but may also include user data required for secure log in, such as user name, password, etc. if required. The key distinction is that, as now recited in the base claims, the instruction order contains all of the required data and instruction for site navigation and site registration, containing a site navigation template, and auto log-in block (if required), and user data or a reference to the appropriate user data to submit to site forms required for registration purposes.

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Further, applicant's independent claim 19 specifically recites a function for returning and recording data that is the result of the submission, which may include successful registration data or other data that is generated and associated with the form submission, which may be used for future user site navigation and login, for example, or for many other purposes. The Examiner has stated that, regarding claim 19, that any new form information necessary for the site is added to the database containing the user's form data (col. 4, lines 5-36), and that Light discloses a method in which the system stores new information obtained from a site once the form filling process is complete (col. 4, lines 5-36).

The new stored data of Light however, is not obtained from the site hosting the completed form; rather, the data is obtained by scanning the completed form and recognizing data, which has been manually input by the user. Any data returned and stored, therefore is not site data, and therefore cannot be construed as data returned as a result of the submission. It is simply new data specific to the user and the form, not the site itself.

Applicant therefore believes that Light fails as a primary reference for a prima facie rejection of applicant's independent claims 1, 15 and 19 as argued above, because the reference clearly fails to teach all of limitations of the claims as amended, and applicant believes the Examiner has misinterpreted the teachings of Light, particularly as reading on applicant's claimed function for writing an instruction order. Depending claims 2-6, 16, and 18, having been amended herein to agree in language with their respective base claims, are then patentable over Light on their own merits, or at least as depended from a patentable claim.

Claims 7, 9-12 and 14 are rejected as being unpatentable over Light as applied to claims 1 and 3, and further in view of Jacobs, and claims 8, 13 and 17 are rejected as being unpatentable over Light as applied to claims 1, 3, 9, 10 and 15, and further in view

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of Kraft. Claim 9 is an independent claim and has been amended similarly to independent claims 1, 15 and 19.

In view of applicant's above amendments to the independent claims and argument presented above, Light fails as a primary reference for combining what the other references for reading on all of the limitations of applicant's independent claim 9 as amended, for the reasons outlined by applicant above. Claim 9 therefore, having similar limitations to the other independent claims, is patentable as amended over Light in view of Jacobs. Depending 7, 10-12 and 14 are patentable on their own merits, or at least as depended from a patentable claim. Claims 8, 13 and 17 are all depending claims, and are patentable as argued above, over Light in view of Kraft, on their own merits or at least as depended from a patentable claim.

It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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